

BEFORE THE OIL AND GAS BOARD OF REVIEW

ENERGY DISTRIBUTORS, INC.

Appellant,

and

JAMES AND PAULINE PRIMMER

Successor-in-
Interest

v.

DONALD L. MASON, Chief
Division of Oil and Gas


Appellee.

APPEAL NO. 478

CHIEF'S ORDER NO. 91-383


ORDER

Having read and considered the Joint Motion for Consent
Decision, filed by Appellant and Appellee, the Board **HEREBY**
DISMISSES Appeal No. 383 with prejudice.


BENITA KAHN

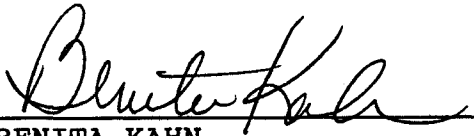

WILLIAM J. TAYLOR

GAIL IGNATZ-HOOVER


JAMES H. CAMERON

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served on Richard Creighton, Keating, Meuthing & Klekamp, 1800 Provident Tower, One East Fourth Street, Cincinnati, Ohio 45202, Ed Johnson, 119 East Hunter Street, Logan, Ohio 43138-1321, and Sandra H. Ramos, Assistant Attorney General, Division of Oil and Gas, Environmental Enforcement Section, 4435 Fountain Square, Building A, 4435 Fountain Square, Columbus, Ohio 43224 by regular U.S. mail, postage prepaid this 27th day of October 1993.


BENITA KAHN

BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO

OIL AND GAS BOARD
OF REVIEW

AUG 19 1993

ENERGY DISTRIBUTORS, INC.,)
)
Appellant,)
)
and)
)
JAMES AND PAULINE PRIMMER,)
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Successor-in-)
Interest,)
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v.)
)
DONALD L. MASON, Chief)
Division of Oil and Gas,)
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Appellee.)

APPEAL NO. 478


REVIEW OF CHIEF'S ORDER
NO. 91-383

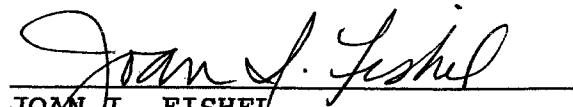
JOINT MOTION FOR CONSENT DECISION


Now come the parties to this action with their Joint Motion for Consent Decision and respectfully request this Board to adopt the attached Consent Decision and dismiss the instant appeal with prejudice.

Respectfully submitted,

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ATTORNEY GENERAL OF OHIO


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Primmer

BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO

OIL AND GAS BOARD
OF REVIEW
AUG 19 1993

ENERGY DISTRIBUTORS, INC.)	
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Appellant,)	
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Successors-in-)	
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v.)	APPEAL NO. 478
)	
DONALD L. MASON, Esq.)	REVIEW OF CHIEF'S ORDER
Chief, Division of Oil & Gas)	NO. 91-383
)	
Appellee.)	

CONSENT DECISION

Prior to hearing on these appeals, the parties have reached an agreement based upon the following facts:

1. On July 2, 1991, Chief's Order No. 91-383 was issued to Energy Distributors, Inc., ordering it to plug a well in Washington Township, Hocking County, specifically, Permit No. 2446, Well No. 3, Primmer lease. The Chief's Order further required all work be done in a prudent and workmanlike manner within 30 days of receipt. Energy Distributors, Inc. appealed this Chief's Order and the appeal was docketed as Appeal No. 478.

2. Chief's Order No. 91-383 provides that it will be binding upon the successors, assignees, and agents of Energy Distributors, Inc.

3. On _____ the Appellee processed a Form 7 transferring the ownership of the Primmer #3 well from Energy Distributors, Inc. to James and Pauline Primmer.

4. James and Pauline Primmer, for purposes of this appeal, are the assignees and successors in interest of Energy Distributors, Inc.

5. The Primmer #3 well is currently incapable of producing oil and gas in commercial quantities.

NOW, THEREFORE, based upon the above facts, the parties hereby agree as follows:

1. Appellants/Successors-in-interest James and Pauline Primmer consent to the entry of this Consent Decision and waive any objection or further right to appeal they may have with respect to this appeal for the purpose of settling the claims alleged in the appeal.

2. The provisions of this Consent Decision shall apply to and be binding upon the parties hereto, their agents, officers, employees, assignees, heirs, and successors in interest.

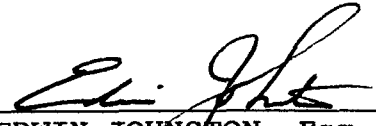
3. James and Pauline Primmer shall place the Primmer #3 well into production on or before December 31, 1993. If not in production by that date, James and Pauline Primmer shall properly plug and abandon the Primmer #3 by January 31, 1994.

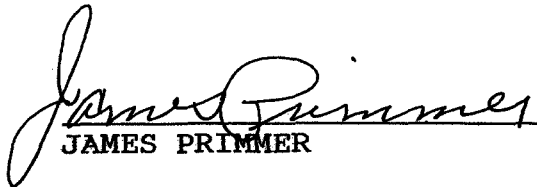
4. Nothing in this Consent Decision shall be construed so as to prejudice the rights of the Division of Oil and Gas to issue its own decisions and orders and enforce the provisions of R.C. Chapter 1509 and the Administrative Rules associated therewith.

5. Appeal No. 478 is dismissed with prejudice.


Respectfully submitted,


LEE FISHER
ATTORNEY GENERAL OF OHIO

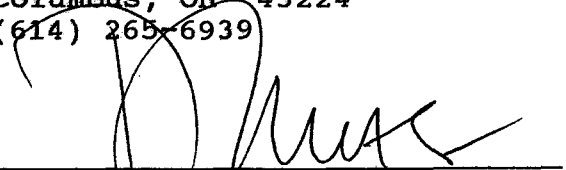

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